

Applicant : James D. Pravetz
Serial No. : 10/072,260
Filed : February 6, 2002
Page : 13 of 18

Attorney's Docket No.: 07844-497001 / P461

REMARKS

Claims 1-49 are currently pending, of which claims 1, 9, 13, 21, 23, 30, 38, and 42 are independent. Claims 1, 9, 13, 21, 23, 30, 38 and 42 are amended. Support for the amendments can be found at least at page 4, lines 1-8; page 5, lines 9-22; page 7, lines 7-25, and page 8, lines 10-12 of the specification. Reconsideration of the action mailed September 20, 2005, is requested in light of the foregoing amendments and the following remarks.

The Examiner rejected claims 8, 11, 18, 20, 29, 37, 40, 47, and 49 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner rejected claims 1-7, 9-10, 12-17, 19, 21-28, 30-36, 38-39, 41-46, and 43 under 35 U.S.C. § 103(a) as being unpatentable over Schneier, Bruce "Applied Cryptography, Second Edition" 1996 ("Schneier") in view of Stallings, William "Cryptography and Network Security, Second Edition" 1998 ("Stallings"). The Examiner rejected claims 8, 11, 18, 20, 29, 37, 40, 47, and 49 under 35 U.S.C. § 103(a) as being unpatentable over Schneier and Stallings in further view of "The PDF Reference, Second Edition" ("PDF Reference").

Section 112 Rejections

The Examiner rejected claims 8, 11, 18, 20, 29, 37, 40, 47, and 49 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner states that the claims are indefinite because they include the term Forms Data Format, which the Examiner has identified as a trademark or trade name used to identify a source of goods. The applicant respectfully disagrees. The term Forms Data Format is not a registered trademark or trade name. Forms Data Format identifies a specific text file format containing form field data. Forms Data Format, therefore, identifies a particularly defined file format and is not used to identify a source of goods. The applicant respectfully submits that claims 8, 11, 18, 20, 29, 37, 40, 47, and 49 satisfy the requirements of § 112, second paragraph.

Section 103 Rejections

The Examiner rejected claim 1 as being unpatentable over Schneier in view of Stallings. Claim 1, as amended, recites a computer program product including instructions operable in a

Applicant : James D. Pravetz
Serial No. : 10/072,260
Filed : February 6, 2002
Page : 14 of 18

Attorney's Docket No.: 07844-497001 / P461

computer program application to cause a first instance of the application to generate a first container object. The first container object has a recognizable container type and the container type is associated with the application. The first container object includes a sender's certificate or a request for a recipient's certificate. The first container object is then transmitted to a recipient's address. The application receives a second container object from a second instance of the application. The second container object has the same recognizable container type. The application also automatically identifies and extracts one or more certificates from within the second container object.

Neither Schneier nor Stallings disclose or suggest instructions operable in a computer program application to cause a first instance of an application to automatically identify and extract one or more certificates from within a received container object. Schneier discloses privacy enhanced mail messages. See page 579. The privacy enhanced mail messages are encrypted email messages that include one or more certificates embedded within the body of the email. See page 579; FIGS. 24.5 and 24.6. Schneier does not disclose or suggest a computer program application in which an instance of the application automatically identifies the presence of a certificate nor the extraction of a certificate from a container object. The email application in Schneier does not automatically identify or extract received certificates.

Stallings discloses a Secure Socket Layer ("SSL") handshake protocol for establishing a logical connection between a client and a server. See page 450. The SSL handshake protocol includes an exchange of several messages between a client and a server in order to establish secure data transmission. See page 450. The exchanged data includes hello messages, certificate messages, key exchange messages, verification messages, and certificate request messages. See page 451, FIG. 14.6. Stallings, however, does not disclose or suggest the generated container objects of claim 1. Additionally, Stallings does not disclose or suggest a computer program application in which an instance of the application automatically identifies the presence of a certificate nor the extraction of a certificate from a container object. The applicant therefore respectfully submits that claim 1, as well as claims 2-8, which depend from claim 1, are in condition for allowance.

Applicant : James D. Pravetz
Serial No. : 10/072,260
Filed : February 6, 2002
Page : 15 of 18

Attorney's Docket No.: 07844-497001 / P461

The Examiner rejected claim 9 as being unpatentable over Schneier in view of Stallings. Claim 9 recites a computer program product for receiving a certificate that includes instructions operable in a computer program application to cause a first instance of the application when executing on a computer to receive a container object. The container object has a container type and the container type is associated with the application. The application recognizes the container type as associated with the client application and further recognizes that the container object may include a certificate of a sender. Additionally, the application automatically determines whether the container object actually contains a certificate.

The Examiner states that Schneier discloses receiving a container object and automatically determining if the container object contains a certificate because the Examiner identifies a certificate as embedded in the email message of FIG. 24.5. The applicant respectfully disagrees. While the text of the email message shown in Schneier does disclose a certificate embedded in the body of the email message, Schneier does not disclose or suggest an action taken by the email application to recognize whether there could be a certificate within the received email message. Additionally, the cited portion of Schneier does not disclose or suggest any action taken upon receipt of any content because it discloses the creation of secure mail messages to send, not their receipt.

Furthermore, Schneier does not disclose or suggest an application that automatically determines whether or not the email message in fact does contain a certificate. Instead, Schneier requires the recipient of the message to identify the presence of the certificate visually through the mental step of reading the email message.

Stallings also fails to disclose or suggest an application that automatically determines whether or not a container object contains a certificate. The applicant respectfully submits that claim 9, as well as claims 10-12, which depend from claim 9, are in condition for allowance.

The Examiner rejected claim 13 as being unpatentable over Schneier in view of Stallings. Claim 13 recites a computer program product for receiving a request for a certificate including instructions operable in a computer program application to cause a first instance of the application when executing on a computer to receive a first container object. The application

Applicant : James D. Pravetz
Serial No. : 10/072,260
Filed : February 6, 2002
Page : 16 of 18

Attorney's Docket No.: 07844-497001 / P461

recognizes that the first container object may include a request for a certificate. The application automatically determines if the first container object includes a request for a certificate. If a request is included, the application responds to the request.

The Examiner states that Schneier shows determining if a container object includes a request for a certificate at FIG. 24.5. FIG. 24.5 shows an example email message that includes an embedded certificate, and does not include any certificate request. Additionally, Schneier does not disclose or suggest an application that automatically determines whether a container object includes a request for a certificate. The Examiner's construction again requires a mental step of the user to read the text of the email message to identify a request for a certificate.

Furthermore, the Examiner fails to address the limitation that recites that the application recognizes that the first container object may include a request for a certificate of the recipient of the container object and that the application responds to the request. Neither Schneier nor Stallings disclose or suggest an application that specifically recognizes a container object as potentially including a request for a certificate and then responds to the request if found. The applicant respectfully submits that claim 13, as well as claims 14-20, which depend from claim 13, are in condition for allowance.

The Examiner rejected claim 21 as being unpatentable over Schneier in view of Stallings. Claim 21 recites a computer program product that includes instructions operable in a computer program application to cause a first instance of the application when executing on a computer to automatically determine if the second container object includes the recipient's certificate. For the same reasons set forth above with respect to claim 1, claim 21 as well as claim 22, which depends from claim 21, are in condition for allowance.

The Examiner rejected claim 23 as being unpatentable over Schneier in view of Stallings. Claim 23 recites a computer program product including instructions operable in a computer program application to cause a first instance of the application when executing on a computer to automatically identify and extract one or more certificates from within a container object. For the same reasons set forth above with respect to claim 1, claim 23, as well as claims 24-29, which depend from claim 23, are in condition for allowance.

Applicant : James D. Pravetz
Serial No. : 10/072,260
Filed : February 6, 2002
Page : 17 of 18

Attorney's Docket No.: 07844-497001 / P461

The Examiner rejected claim 30 as being unpatentable over Schneier in view of Stallings. Claim 30 recites a computer-implemented method that includes automatically identifying and extracting one or more certificates from within a second container object. For the same reasons set forth above with respect to claim 1, claim 30 as well as claims 31-37, which depend from claim 30, are in condition for allowance.

The Examiner rejected claim 38 as being unpatentable over Schneier in view of Stallings. Claim 38 recites a computer-implemented method for receiving a certificate that includes automatically determining if a received container object contains a certificate of a sender. For the same reasons as set forth above with respect to claim 9, claim 38 as well as claims 39-41, which depend from claim 38, are in condition for allowance.

The Examiner rejected claim 42 as being unpatentable over Schneier in view of Stallings. Claim 42 recites a computer-implemented method for receiving a request for a certificate that includes automatically determining if a received container object includes a request for a certificate of the recipient. For the same reasons as set forth above with respect to claim 13, claim 42 as well as claims 43-49, which depend from claim 43, are in condition for allowance.

The applicant requests that all pending claims be allowed.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

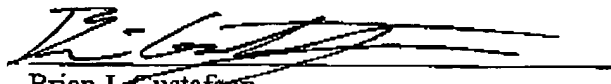
Applicant : James D. Pravetz
Serial No. : 10/072,260
Filed : February 6, 2002
Page : 18 of 18

Attorney's Docket No.: 07844-497001 / P461

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 13 December, 2005


Brian J. Gustafson
Reg. No. 52,978

Customer No. 21876
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

50313712.doc